

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

**PLAINTIFFS**

Eric Cinelli, Joanna Eggins, and Satoria Monlyn

## DEFENDANTS

Quest Diagnostics Incorporated and Optum360, LLC

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)  
Scott+Scott Attorneys at Law LLP  
230 Park Avenue, 17th Floor  
New York, NY 10169

ATTORNEYS (IF KNOWN)  
Joseph P. Guglielmo

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)  
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

28 U.S.C. § 1332(d); Defendants failed to protect Plaintiffs' and Class Members confidential data.

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No  Yes  Judge Previously Assigned

If yes, was this case Vol.  Invol.  Dismissed. No.  Yes  If yes, give date \_\_\_\_\_ & Case No. \_\_\_\_\_

IS THIS AN INTERNATIONAL ARBITRATION CASE? No  Yes

## NATURE OF SUIT

(PLACE AN [x] IN ONE BOX ONLY)

**TORTS**

## TORTS

## ACTIONS UNDER STATUTES

CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
[ ] 110 INSURANCE	[ ] 310 AIRPLANE	[ ] 367 HEALTHCARE/			[ ] 375 FALSE CLAIMS
[ ] 120 MARINE	[ ] 315 AIRPLANE PRODUCT	PHARMACEUTICAL PERSONAL	[ ] 625 DRUG RELATED	[ ] 422 APPEAL	[ ] 376 QUI TAM
[ ] 130 MILLER ACT	LIABILITY	INJURY/PRODUCT LIABILITY	SEIZURE OF PROPERTY	28 USC 158	[ ] 400 STATE
[ ] 140 NEGOTIABLE INSTRUMENT	[ ] 320 ASSAULT, LIBEL & Slander	[ ] 365 PERSONAL INJURY	21 USC 881	[ ] 423 WITHDRAWAL	REAPPORTIONMENT
[ ] 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT	[ ] 330 FEDERAL EMPLOYERS' LIABILITY	PRODUCT LIABILITY	[ ] 690 OTHER	28 USC 157	[ ] 410 ANTITRUST
[ ] 151 MEDICARE ACT	[ ] 340 MARINE	PERSONAL PROPERTY			[ ] 430 BANKS & BANKING
[ ] 152 RECOVERY OF DEFALTED STUDENT LOANS (EXCL VETERANS)	[ ] 345 MARINE PRODUCT LIABILITY	[ ] 370 OTHER FRAUD	[ ] 820 COPYRIGHTS		[ ] 450 COMMERCE
	[ ] 350 MOTOR VEHICLE	[ ] 371 TRUTH IN LENDING	[ ] 830 PATENT		[ ] 460 DEPORTATION
	[ ] 355 MOTOR VEHICLE		[ ] 835 PATENT-ABBREVIATED NEW DRUG APPLICATION		[ ] 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO)
[ ] 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS	PRODUCT LIABILITY	[ ] 360 OTHER PERSONAL INJURY	[ ] 840 TRADEMARK		[ ] 480 CONSUMER CREDIT
[ ] 160 STOCKHOLDERS SUITS	[ ] 362 PERSONAL INJURY - MED MALPRACTICE	[ ] 380 OTHER PERSONAL PROPERTY DAMAGE		SOCIAL SECURITY	[ ] 490 CABLE/SATELLITE TV
[x] 190 OTHER CONTRACT		[ ] 385 PROPERTY DAMAGE			
[ ] 195 CONTRACT PRODUCT LIABILITY	ACTIONS UNDER STATUTES	PRODUCT LIABILITY	[ ] 861 HIA (1395ff)		[ ] 850 SECURITIES/ COMMODITIES/ EXCHANGE
[ ] 196 FRANCHISE	CIVIL RIGHTS	PRISONER PETITIONS	[ ] 862 BLACK LUNG (923)		
	[ ] 440 OTHER CIVIL RIGHTS (Non-Prisoner)	[ ] 463 ALIEN DETAINEE	[ ] 863 DIWC/DIWV (405(g))		
		[ ] 510 MOTIONS TO VACATE SENTENCE	[ ] 710 FAIR LABOR STANDARDS ACT		
		28 USC 2255	[ ] 720 LABOR/MGMT RELATIONS		
		[ ] 530 HABEAS CORPUS	[ ] 740 RAILWAY LABOR ACT		
		[ ] 535 DEATH PENALTY	[ ] 751 FAMILY MEDICAL LEAVE ACT (FMLA)	FEDERAL TAX SUITS	[ ] 890 OTHER STATUTORY ACTIONS
		[ ] 540 MANDAMUS & OTHER	[ ] 790 OTHER LABOR LITIGATION		[ ] 891 AGRICULTURAL ACTS
			[ ] 791 EMPL RET INC SECURITY ACT (ERISA)		
<b>REAL PROPERTY</b>					
[ ] 210 LAND CONDEMNATION	[ ] 441 VOTING		IMMIGRATION		
[ ] 220 FORECLOSURE	[ ] 442 EMPLOYMENT	PRISONER CIVIL RIGHTS	[ ] 462 NATURALIZATION		
[ ] 230 RENT LEASE & EJECTMENT	[ ] 443 HOUSING/ ACCOMMODATIONS		APPLICATION		
[ ] 240 TORTS TO LAND	[ ] 445 AMERICANS WITH DISABILITIES - EMPLOYMENT	[ ] 550 CIVIL RIGHTS	[ ] 465 OTHER IMMIGRATION		
[ ] 245 TORT PRODUCT LIABILITY	[ ] 446 AMERICANS WITH DISABILITIES - OTHER	[ ] 555 PRISON CONDITION	ACTIONS		
[ ] 290 ALL OTHER REAL PROPERTY	[ ] 448 EDUCATION	[ ] 560 CIVIL DETAINEE CONDITIONS OF CONFINEMENT			

*Check if demanded in complaint:*

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.  
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?  
IF SO, STATE:

CHECK IF THIS IS A CLASS ACTION  
UNDER F.R.C.P. 23

JUDGE Nelson S. Roman DOCKET NUMBER 7:19-cv-05210

*Check YES only if demanded in complaint*

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN *x* IN ONE BOX ONLY)

<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from (Specify District)	<input type="checkbox"/> 6 Multidistrict Litigation (Transferred)	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge
			<input type="checkbox"/> 8 Multidistrict Litigation (Direct File)			
<input type="checkbox"/> a. all parties represented						
<input type="checkbox"/> b. At least one party is pro se.						

(PLACE AN *x* IN ONE BOX ONLY)

<input type="checkbox"/> 1 U.S. PLAINTIFF	<input type="checkbox"/> 2 U.S. DEFENDANT	<input type="checkbox"/> 3 FEDERAL QUESTION	<input checked="" type="checkbox"/> 4 DIVERSITY (U.S. NOT A PARTY)
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**IF DIVERSITY, INDICATE CITIZENSHIP BELOW.****CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)**

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF [ ] 1	DEF [ ] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF [ ] 3 [ ] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF [ ] 5	DEF [ ] 5
CITIZEN OF ANOTHER STATE	[x] 2	[ ] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[ ] 4 [ ] 4	FOREIGN NATION	[ ] 6	[ ] 6

**PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)**

Eric Cinelli	Joanna Eggin	Satoria Monlyn
5840 West Craig Rd.	8517 Island Breeze Lane	16978 NW Mayo Street, Apt. 801
Las Vegas, NV 89130	Tampa, FL 33637	Bountstown, FL 32424

**DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)**

Quest Diagnostics Incorporated	Optum360 Services, Inc.
500 Plaza Drive	11000 Optum Circle
Secaucus, NJ 07094	Eden Prairie, MN 55344
Hudson Cty.	Hennepin Cty.

**DEFENDANT(S) ADDRESS UNKNOWN**

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

**COURTHOUSE ASSIGNMENT**

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.

Check one: THIS ACTION SHOULD BE ASSIGNED TO:  WHITE PLAINS  MANHATTAN

DATE 6/20/19 SIGNATURE OF ATTORNEY OF RECORD

RECEIPT # /s/ Joseph P. Guglielmo

ADMITTED TO PRACTICE IN THIS DISTRICT

[ ] NO

[x] YES (DATE ADMITTED Mo. 05 Yr. 1997)  
Attorney Bar Code # JG-2447

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge \_\_\_\_\_ is so Designated.

Ruby J. Krajick, Clerk of Court by \_\_\_\_\_ Deputy Clerk, DATED \_\_\_\_\_.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)